

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

U.S. DISTRICT COURT
DISTRICT OF IDAHO
Filed at _____

JUN 23 2004

CLERK, U.S. DISTRICT COURT
Deputy

UNITED STATES OF AMERICA,)
)
vs.)
)
FRANCISCO J. CASTILLO-MACHUCA)
_____)

Case No. CR04-92S-BW
Waiver of Detention Hearing
and
ORDER OF DETENTION

WAIVER OF DETENTION HEARING

I, FRANCISCO J. CASTILLO-MACHUCA, have appeared before a United States Magistrate Judge in the District of Idaho, who has advised me of the provisions of 18 United States Code, Section 3142(f) and of my right to have a detention hearing pursuant to the Bail Reform Act of 1984. I wish to waive my right to such hearing and further understand and agree that the Court may enter a detention order based on the grounds set forth in the motion for a detention hearing filed by the United States.

(a) I have been advised, at the hearing that I have a right to be represented by counsel, and, if financially unable to obtain adequate representation, to have counsel appointed for me.

(b) That at the hearing I would be afforded an opportunity to testify, to present witnesses on my own behalf, to cross examine witnesses who appear at the hearing and to present information by proffer or otherwise.

WAIVER OF DETENTION HEARING & ORDER OF DETENTION

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(c) I consent to the issuance of an order detaining me without prejudice prior to trial.

DATED this 23^d day of June, 2004.

Francisco J. Castillo

Signature of Defendant

[Signature]

Defense Counsel

ORDER OF DETENTION

Based upon the foregoing Waiver,

IT IS HEREBY ORDERED that the Defendant be detained prior to trial without prejudice;

IT IS FURTHER ORDERED that the Defendant be committed to the custody of the United States Marshal for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

IT IS FURTHER ORDERED that the Defendant be afforded reasonable opportunity for private consultation with his counsel; and,

IT IS FURTHER ORDERED that the director of the correctional facility in which the Defendant is confined shall make the Defendant available to the United States Marshal for the purpose of appearance in connection with a Court Proceeding.

DATED this 23^d day of June, 2004.

[Signature]

MIKEL H. WILLIAMS

United States Magistrate Judge

United States District Court
for the
District of Idaho
June 25, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 1:04-cr-00092

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Rafael M Gonzalez Jr, Esq.
US ATTORNEY'S OFFICE
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800 Park Blvd #600
Boise, ID 83712

Charles F Peterson, Esq. 1-208-336-2059
PETERSON LAW OFFICE
913 W River St #420
Boise, ID 83702

U.S. Marshal
HAND DELIVERED

Probation
HAND DELIVERED

 Chief Judge B. Lynn Winmill
 ☒ Judge Edward J. Lodge
 Chief Magistrate Judge Larry M. Boyle
 ☒ Magistrate Judge Mikel H. Williams

Visiting Judges:
 Judge David O. Carter
 Judge John C. Coughenour
 Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 6-25-04

BY: WM
(Deputy Clerk)